

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: WALKER et al.

Serial No.: Not Yet Assigned


Filing Date: February 26, 2004

For: METHOD AND APPARATUS FOR  
PLAY OF A GAME WITH NEGATIVE  
OUTCOMES

) Examiner: Not Yet Assigned  
)  
) Group Art Unit: Not Yet Assigned  
)  
) Attorney Docket No: 03-005  
)  
) **CUSTOMER NO.: 22927**  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 02/26/04 By: 

Michael D. Brinton

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent

to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_  
\_\_\_\_\_.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:  
  
☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.  
  
☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

- [ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. [ ] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
  - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ Please accept payment of the fees due as indicated below:
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

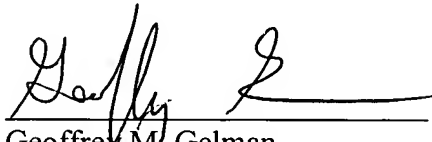
[ ] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. [ ] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

February 26, 2004  
Date

  
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<b>INFORMATION DISCLOSURE CITATION</b>	<b>Docket Number</b> 03-005	<b>Serial Number</b> Not Yet Assigned
	<b>Applicants</b> WALKER et al.	
	<b>Filing Date</b> February 26, 2004	<b>Group Art Unit</b> Not Yet Assigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	5,092,598	03/03/92	Kamille	273	139	
	B	5,123,649	06/23/92	Tiberio	273	143 R	
	C	5,470,079	11/28/95	LeStrange et al.	273	138 A	
	D	5,570,885	11/05/96	Ornstein	463	27	
	E	5,766,075	06/16/98	Cook et al.	463	25	
	F	5,772,509	06/30/98	Weiss	463	16	
	G	5,830,067	11/03/98	Graves et al.	463	40	
	H	5,980,384	11/09/99	Barrie	463	16	
	I	5,997,401	12/07/99	Crawford	463	20	
	J	6,033,307	03/07/00	Vancura	463	20	
	K	US 6,309,300 B1	10/30/01	Glavich	463	26	

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	L	EP 1 298 612 A2	04/02/03	Europe				

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

	M	Website: "Press Your Luck (PYL) General Information Page", ( <a href="http://members.fortunecity.com/jd83/pylinfo.html">http //members fortunecity com/jd83/pylinfo html</a> ), undated.
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**EXAMINER**

**DATE CONSIDERED:**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	N	US 6,379,247 B1	04/30/02	Walker et al.	463	25	
	O	US 6,409,172 B1	06/25/02	Vancura	273	256	
	P	US 6,471,208 B2	10/29/02	Yoseloff et al.	273	143 R	
	Q	US 6,494,785 B1	12/17/02	Gerrard et al.	463	20	
	R	US 6,500,066 B1	12/31/02	Bower et al.	463	20	
	S	US 6,506,118 B1	01/14/03	Baerlocher et al.	463	25	
	T	US 6,602,136 B1	08/05/03	Baerlocher et al.	463	16	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		

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		<b>Applicants</b> WALKER et al.	
		<b>Filing Date</b> February 26, 2004	<b>Group Art Unit</b> Not Yet Assigned
	U	Brochure: "Power Play Slots", ( <a href="http://www.softsite.com/ulti/">http //www softsite com/ulti/</a> ), January 1997.	
	V	Poole, David, "Letter from Charlotte: Vegas perfect for racing", Las Vegas Review-Journal, June 22, 1997, Section: C, pg. 2C.	
	W	Cook, Melissa, "The Best New Slots", Casino Player Magazine, April 1998, pg. 45.	
	X	Website: "Casino Journal World of Slots AC Coin – The Interactive Experience", ( <a href="http://www.casinocenter.com/journal/oct97/html/ac_coin.html">http //www casinocenter com/journal/oct97/html/ac_coin html</a> ), download date: June 4, 1998.	
	Y	"Station Announces Formation of GameCast Live, LLC and Release of Remote Play eSlots for In-Room Gaming Applications", PR Newswire, June 6, 2001, Section: Financial News.	
	Z	"A.C. Coin & Slot Staying Power", Global Gaming Business, September 15, 2002, pg. 42.	
	AA	Website: "IMA Provides Launch Platform For Innovative New AWP!", Coin-Op News, Google's cache of <a href="http://www.preview-uk.com/coin_op_story.asp?ID=286">http //www preview-uk com/coin_op_story asp?ID=286</a> , November 01, 2003.	
	BB	PCT International Search Report for Application No. PCT/US03/12631 in the name of Walker et al, mailed July 24, 2003.	
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